

8176.a.37

[ 2 ]

STATE OF MASSACHUSETT'S-BAY.

*In the Year of our LORD, one Thousand  
seven Hundred and Seventy-seven.*

A N A C T

—To prevent MONOPOLY and OPPRESSION.

**W**HEREAS the avaritious conduct of many persons by daily adding to the now exorbitant price of every necessary and convenient article of life; and encreasing the price of labour in general, unless a speedy and effectual stop be put thereto, will be attended with the most fatal and pernicious consequences, as it not only disheartens and disaffects the soldiers, who have nobly entered into the service of their country, for the support of the best of causes, and distresses the poorer part of the community, by obliging them to give unreasonable prices for those things that are absolutely necessary to their very existence, but will be also very injurious to the State in general. — And whereas the committee lately empowered by this State to proceed to Providence in Rhode-Island, and in behalf of this State there to meet with committees from the other New-England States; and among other things to confer upon measures necessary to prevent monopoly  
and

and the high price of goods, and the necessities of life, and for regulation of vendues; have in conjunction with the said committees, recommended that rates and prices be settled and affixed, by an act of this State, to the articles herein after enumerated.

Be it therefore enacted by the Council and House of Representatives in General Court assembled, and by the Authority of the same, That from and after the TWENTY EIGHTH Day of January One Thousand Seven Hundred and Seventy-seven, the price of Farming Labour in the summer season shall not exceed 3 s. by the day and found as usual, and so in usual proportion at other seasons of the year, and the labour of Mechanics and Tradesmen and other labour beside what is herein hereafter especially enumerated in proportion thereunto, according to the usages and customs which have heretofore been adopted and practised in this State when compared with farming labour.

And be it further enacted by the Authority aforesaid, That the following articles shall not be sold for a higher price than is herein hereafter settled and affixed to them respectively, viz.

*Wheat.* Good merchantable Wheat at 7 s. 6 d. per bushel.

*Rye.* Good merchantable Rye or Rye Meal at 5 s. a bushel.

*Indian Meal.* Good Indian Meal or Corn at 4 s. a bushel.

*Sheeps Wool.* Good merchantable Sheeps Wool at 2 s. lb.

*Pork.* Fresh pork well fatted and of a good quality at 4 d.  $\frac{1}{2}$  a lb. and Salt Pork in usual proportion according to the price of Salt.

*Beef.* Good well fatted grass-fed Beef at 3 d. a lb. and stall-fed Beef well fatted at 4 d. a lb. and Beef of an inferior quality in equal proportion.

*Hides.* Raw Hides at 3 d. a lb. Raw Calf Skins at 6 d. a lb.

*Salt.* Good merchantable imported Salt at 10 s. a bushel, Salt manufactured from sea water within this State at 12 s. a bushel.

*Rum.*



*Rum.* Good merchantable West-India Rum at 6s. 8d. a gallon by the hoghead, including the cask, and 6s. 10d. by the barrel, exclusive of the barrel, and 7s. 8d. by the single gallon, and 2s. by the quart, and so in proportion for a less quantity, according to the former custom and usages for retailing smaller quantities, saving an allowance of one penny a gallon for every ten miles the same shall be carried by land carriage from the first port of delivery.

*New-England Rum* at 3s. 10d. a gallon by the hoghead or barrel, exclusive of 13s. 4d. for the hoghead, or 4s. for the barrel, and 4s. 6d. by the single gallon, at the town where the same is distilled; and so in like proportion for smaller quantities, according to the old and approved customs for retailing smaller quantities, allowing *one penny* each ten miles for every gallon that has been or shall be transported by land from the place of distillery.

*Sugar.* Best Muscovado Sugar at 54s. a hundred by the hoghead, and £ 3 by the single hundred, and 8d. a lb. by the single pound at the place where it is first landed, and allowing 9d. for the transporting of every cwt. ten miles by land carriage. And Sugars of an inferior quality in the usual proportion.

*Molasses,* of the best quality at 3s. 4d. a gallon by the hoghead, including the cask, and 3s. 8d. by the barrel exclusive of 3s. for the barrel, and 4s. by the single gallon at the place where it is first landed from the West-Indies, and so in proportion in the country, allowing *one penny* a gallon for every ten miles transportation by land into the country or from the place where it is so landed.

*Cocoa.* Best Cocoa at £ 6 10s. a cwt. American manufactured Chocolate is 8d. a lb.

*Cheese* manufactured in America 6d. per lb.

*Butter* at 10d. a lb. by the single lb. and 9d. by the sk. 12.

*Peas* 8s. a bushel. *Beans* 6s. a bushel.

*Potatoes.*



*Potatoes.* Potatoes commonly called Spanish Potatoes of the best quality at 1s. 4d. a bushel in the fall of the year, and not more than 2s. in any other season, and other Potatoes in usual proportion.

*Stockings.* Men's best Yarn Stockings 6s. a pair, and in that proportion for an inferior quality.

*Shoes.* Men's Shoes made of neat's leather, of the best common sort, 8s. a pair, and for others the like price according to their size and quality.

*Salted Pork* by the barrel 220 lb. in a barrel, £4 12s.

*Beef.* Beef by the barrel, 240 lb. in a barrel, £3 14s 6d.

*Cotton.* Cotton 3s. a lb. by the bag, and 3s. and 8d. by the single lb. at the port where it is first landed from the West-Indies, and the like allowance for transportation as for other articles.

*Oats.* Oats, 2s. a bushel.

*Flax.* Good well dressed merchantable Flax, 1s. a lb.

*Coffee.* Good Coffee 1s. 4d. a lb. by the single lb.

Good tried Tallow 7.1 ½ a lb. and rough Tallow 5d. lb.

*Tow Cloth.* Good yard wide Tow Cloth, 2. and 3d. a yard, and other Tow Cloth in proportion, according to its width and quality, and the price of coarse Linens to be computed after the same rate.

*Flannel.* Good yard wide Striped Flannel, 3s. 6d. a yard, and other Flannels in proportion, according to their widths and qualities; and other woollen Cloth, manufactured in America, according to their widths and qualities.

*Wood.* Green oak Wood brought from the country, and delivered at the door of the buyer in Boston 28 s.

Good Walnut Wood, so delivered 30 s. a cord.

Good Walnut Wood brought from the south shore and delivered at a wharf in Boston, 28 s.

Good Oak Wood, brought from the south shore and so delivered 24 s.

*Eastern Wood,* in consideration of the risque in bringing the same 22 s. delivered at the wharfe in Boston.

*Charcoal.* Good Charcoal, 1s. a basket. *Tanned.*



*Tanned Hides*, at 1 s. 3 d. a lb. and curried Leather in usual proportion.

*Homespun* yard wide cotton and linen cloth of the common sort 3 s. 6 d. and other widths and qualities of cotton and linen in like proportion.

*Mutton, Lamb and Veal*, at 4 d. a lb.

*Flour*, imported from the southern States at 30 s. cwt.

*Flour*, manufactured in this State at 25 s.

*Horse-keeping*, in Boston for a night, or twenty four hours with English hay 2 s. and in other places in proportion. For keeping a yoke of oxen the same as a horse.

*Teaming Work*, 1 s. 6 d. for every ton weight a mile, excepting from North Hampton to the northern army, for which may be taken 2 s. a mile for each ton weight.

*Turkeys, Dunghill Fowls and Ducks*, to be sold only by the pound, at 5 d. a lb.

*Geese*, at 4 d. a lb.

*Milk*, at 2 d.  $\frac{1}{2}$  a quart.

*Good Refined Iron*, at 50 s. cwt.

*Blooming Iron*, at 30 s. cwt. at the place of manufactory, and the same allowance to be made for transportation of Iron by land as is allowed for other articles.

*Liver-Oyl*, by the barrel 4 s. a gallon.

*Blubber refined*, 30 s. a barrel.

*English Hay*, of the best quality at 5 s. cwt. and so in proportion for a meaner quality or sort of hay.

Good merchantable *White Pine Boards*, not to exceed 18 s. a thousand in Boston, and other lumber in proportion, and the price in other parts of this State to be in proportion thereunto, according to ancient customs and usages.

And be it enacted by the Authority aforesaid, That the prices of all the articles produced in America herein before enumerated, excepting those to which the prices of transportation are affixed, shall be taken and deemed to be the prices of such goods and articles in the town of Boston, and that the selectmen and committee

tees of the several towns in this State shall be, and hereby are impowered to affix and settle in their respective towns, what such articles and goods shall be sold for in their towns respectively, according to the proportion the price such goods have borne in such towns with the price they have been at in the town of Boston, according to the ancient usage and custom of such towns. And the said select men and committees are in like manner impowered and directed to set and establish the prices of goods herein not enumerated, according to the proportion the price of them have usually borne in their respective towns to those herein enumerated. And the said selectmen and committees are also required to make out a fair list of all the articles to which they shall affix prices, and to post the same with the prices by them so affixed, up in some public place or places in the town where they live, and also to return a list of such prices to the clerk of such town, there to remain upon record, and such prices by them affixed pursuant to the duty herein enjoined and power hereby given them, shall be taken and deemed to be the price set and affixed by this act in such town.

*And be it also enacted,* That in plantations where there are no selectmen, the committee shall have such power and be required to perform the same duties as selectmen and committees have within their towns respectively.

*And be it further enacted by the Authority aforesaid,* That the price of all European and East India goods and merchandize of all kinds which have been or shall be imported into this State, as also of all such goods which have been or shall be brought into this State in any prize vessel, shall not exceed the following rates, viz.

*Woollen Goods, coarse Linens, Duck, Cordage, Ticklenburgs and Ozenbrigs,* shall not be sold by wholesale at a higher rate than in the proportion of £.275 sterling to what usually cost £.100 sterling, in that part of Europe,

Europe from whence they are imported; and any other goods, wares or merchandize excepting Hemp, warlike and military stores imported from thence or brought, or which shall be brought into any port in this State in any prize vessel, shall not be sold at a higher rate from the prime cost as aforesaid, than in the proportion of £ 250 sterling for what cost £ 100 sterling in Europe; and the seller by wholesale shall make out a bill of parcels at the sterling cost of the articles sold, with his advance thereupon, and deliver the same to the bearer, under penalty of the sum at which such articles are so sold by him; and the retailers of such goods, wares and merchandize shall not sell them at a higher advance than 20 per cent. upon the wholesale price, and shall, if requested by the buyer give a bill of parcels with the sterling cost and the advance.

*And be it further enacted by the Authority aforesaid,* That if any person having any article or articles necessary for the use of the *American* army or navy, shall withhold or refuse to sell the same for a reasonable reward, in such case upon complaint thereof made upon oath to the council or board of war of this State, or they knowing or suspecting the same, or either of them are hereby authorized and empowered to issue their warrant to any sheriff, deputy sheriff or constable, to impress the same, and for that purpose in the day time, between sunrise and sunset, to break and enter any warehouses, stores or other places where such goods are deposited, or suspected to be deposited, and to take and apply the same to the use aforesaid, the owner thereof being paid the price at which such goods are fixed in this act, and in case the price of the goods so taken is not herein settled and fixed, the owner shall be paid for the same at a reasonable appraisement to be made of such goods by three indifferent judicious men under oath for that purpose appointed, one of them by those who issued the said warrant, and one by the owner of the said goods, and



and one by the officer directed to execute said warrant; but if the owner shall decline to make such appointment, two of the said appraisers shall be appointed by the persons who shall execute such warrant, and the sum at which the said goods shall be appraised shall be immediately paid as aforesaid.

*And be it further enacted by the Authority aforesaid, That* if any vendue master, or any one for, or under him, shall at any vendue or public sale, sell any article for a greater, or higher price than by this act is limited, he shall forfeit a sum equal to that for which such article shall be sold, and is hereby disqualified from acting at any time as an auctioneer or vendue master, and in case he, or any one in his behalf, should presume to act in that capacity, he shall forfeit the sum of £. 50 for every offence.

*And be it further enacted by the Authority aforesaid, That* every person who shall sell any of the articles abovementioned, at a greater price than is herein settled and fixed for the same, or others not enumerated in a manifest disproportion thereto, upon conviction shall be fined for every article so sold of the price of *twenty shillings* or under, the sum of *twenty shillings*, and for every article of a price above *twenty shillings*, a sum equal to that for which such article shall be sold—and every person who shall take, and receive for his service and labour, a greater sum of money than is settled, and fixed for the same in and by this act, shall forfeit and pay a like sum of money, to that which he shall take and receive for such service and labour

*And be it further enacted, That* whoever shall sell any goods, wares or merchandizes, or shall do any service or labour, at a greater price than is settled and fixed thereto, in and by this act upon credit, shall not have or maintain any action for the recovery thereof, but shall be barred therefrom, and the person against whom any action shall be brought for the recovery of such money, may

may plead the general issue thereto, and give the special matter in evidence to the jury.

*And be it further enacted by the Authority aforesaid,* That all the fines and forfeitures mentioned in this act, shall and may be recovered in any court proper to try the same within the county in which the offence shall have been committed, by action, presentment or indictment, one half thereof to the use of this State, and the residue to the prosecutor, together with the costs of prosecution. And all grand jurors, are hereby strictly enjoined to take cognizance of, and to make due presentment of all offences against this act which shall come to their knowledge, or whereof they shall receive due information.

*And be it further enacted by the Authority aforesaid,* That if any person shall engross, or have in his possession by purchase or otherwise, more of any article in this act enumerated or any other necessary of life than is necessary for the consumption of his own family and immediate dependants, and which he holds with an apparent design in the judgment of the major part of the selectmen of the town where he lives, or where such article shall be to sell, trade upon and not for his own consumption as aforesaid, and shall refuse to sell and dispose of the same for the common currency of this State or the United States of America, and at the prices affixed and settled by this act, or by the selectmen and committee in pursuance of it, and complaint being thereof made to the major part of said selectmen, by or in the behalf of any person who is in want of such article or articles for his own immediate support, the support of his family or immediate dependants; and the said selectmen or a major part of them, believing the same to be true, shall demand of such person refusing, to sell such article or articles for such price as is affixed by this act, or by the selectmen and committee in pursuance of it; and if such person shall refuse

fuse, to comply therewith, or cannot be found to have such demand made of him, the major part of said selectmen shall apply to some justice of the peace within the same county, for a warrant to open any store, warehouse or grainery, in which such article or articles may be, or otherwise to take possession of the same : And the said justice shall without delay, make out his warrant directed to some sheriff, deputy-sheriff or constable in form following, viz.

SUFFOLK ff.

To

Greeting.



*WHEREAS* complaint is this day made to me, by A, B, C, D and E, a major part of the selectmen of L, in the said county of S that I K, of said L, (addition) hath now in his possession with design to sell and trade upon the same, and which is not by him designed for the consumption of his family or immediate dependants ; and that the said I K, does, though requested thereunto by the said selectmen, refuse to sell thereof to N, O, of R within this State, who is in great necessity therefor, (for the support of his family and immediate dependants) for the price set and affixed by a law of this State, intituled " An Act to prevent monopoly and oppression." You are therefore hereby required in the name of the Government and People of the Massachusetts-Bay in New-England, taking with you the major part of the selectmen of said L, in the day time, between the rising and setting of the sun, to open the store of the said I K, or as the case may be, to take possession of the said and the same deliver to the said selectmen, to the intent that the said selectmen may sell and deliver to the said N, O, the aforesaid or so much of that article as the said N, O, has absolute necessity for ; and you are to make true returns of this warrant to me as soon as may be, with your doings therein.

Given under my hand and seal the                      day of  
in the year of our LORD, 177 .

And



And the said Selectmen, or the major part of them, having possession of such article or articles in manner aforesaid, shall sell and deliver to such necessitous person named in such warrant, so much of the article therein mentioned, as he stands in need of for the support of his family and immediate dependants, at the price affixed as aforesaid, and after deducting out of the money received therefor, the pay for their own service, at the rate of *four shillings* a day, the officers legal fees, and *two shillings* for the justices warrant, shall pay the overplus, if any there be, to the person who owned, or possessed such goods. *Provided nevertheless*, that the said Selectmen shall not be obliged or empowered, in pursuance of this act, to supply any person as aforesaid, who has by him, to their knowledge, any of the articles in this act enumerated, or any other necessary of life more than he stands in need of for his own consumption, and refuses to expose them to sale for the prices set and affixed in this act, or that shall neglect, or refuse to bring them to market according to his usual custom.

*And be it further enacted*, That when any action shall be brought against any officer, who has a duty assigned him by this act, he may plead the general issue, and give the special matter in evidence for his justification.

---

